

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN

&

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 31ST JULY 2007 / 9TH SRAVANA 1929

WA.No. 1881 of 2007()

**AGAINST THE JUDGEMENT/ORDER IN WPC.16093/2007 Dated
29/06/2007**

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APPELLANT: PETITIONER IN THE WP:

**M.ABDUL JABBARUDEEN, SENIOR GRADE
OPHTHALMIC ASSISTANT, TALUK HEAD QUARTERS HOSPITAL
KOTTARAKKARA.**

BY ADV. SRI.B.KRISHNA MANI

RESPONDENTS: RESPONDENT IN THE WPC:

- 1. THE STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY, SECRETARIAT, GOVERNMENT
OF KERALA, THIRUVANANTHAPURAM.**
- 2. THE SECRETARY, DEPARTMENT OF HEALTH,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.**
- 3. THE DIRECTOR OF HEALTH SERVICES,
GOVERNMENT OF KERALA, THIRUVANANTHAPURAM.**
- 4. THE ADDITIONAL DIRECTOR OF HEALTH
SERVICES, (MEDICAL) IN CHARGE, GOVERNMENT OF
KERALA, THIRUVANANTHAPURAM.**
- 5. K.USHA KUMARI, PRIMARY HEALTH CENTRE,
KUMARAKOM.**

**BY GOVERNMENT PLEADER SRI.BENNY GERVASIS
SMT.P.V.ASHA**

**THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 31/07/2007,
THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:**

K.S.RADHAKRISHNAN & ANTONY DOMINIC, JJ.

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W.A. NO. 1881 OF 2007

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Dated this the 31st day of July, 2007

J U D G M E N T

Radhakrishnan, J.

Ext.P1 transfer order is under challenge. Petitioner was transferred to Thanur in Malappuram District from Kottarakkara and 5th respondent was posted in his place. The complaint of the petitioner is that 5th respondent is junior to the petitioner and there is no justification in transferring out the petitioner from the present place so as to accommodate a junior. Facts would indicate that petitioner was working in and around Kottarakkara for the last ten years. Further the petitioner has joined duty at Thanur in Malappuram District and the 5th respondent has also joined duty at Taluk Head Quarters Hospital, Kottarakkara. Learned Single Judge disposed of the writ petition directing the petitioner to file suitable representation before the transferring authority. We find no illegality in the view expressed by the learned Single judge. Writ appeal is therefore dismissed.

K.S.RADHAKRISHNAN, JUDGE.

ANTONY DOMINIC, JUDGE.

Rp